

ORIGINAL

OPEN MEETING ITEM



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SUSAN BITTER SMITH - Chairman
BOB STUMP
BOB BURNS
DOUG LITTLE
TOM FORESE



ARIZONA CORPORATION COMMISSION

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2015 SEP 16 A 10:06

DATE: SEPTEMBER 16, 2015

DOCKET NO.: T-04055A-15-0248

AZ CORP COMMISSION
DOCKET CONTROL

Arizona Corporation Commission

DOCKETED

SEP 16 2015

TO ALL PARTIES:

Enclosed please find the recommendation of Administrative Law Judge Sasha Paternoster. The recommendation has been filed in the form of an Order on:

DOCKETED BY

TV

STEVE HALSTEAD dba PUBLIC PHONE
(CANCEL CC&N)

Pursuant to A.A.C. R14-3-110(B), you may file exceptions to the recommendation of the Administrative Law Judge by filing an original and thirteen (13) copies of the exceptions with the Commission's Docket Control at the address listed below by 4:00 p.m. on or before:

SEPTEMBER 25, 2015

The enclosed is NOT an order of the Commission, but a recommendation of the Administrative Law Judge to the Commissioners. Consideration of this matter has tentatively been scheduled for the Commission's Open Meeting to be held on:

OCTOBER 20, 2015 AND OCTOBER 21, 2015

For more information, you may contact Docket Control at (602) 542-3477 or the Hearing Division at (602) 542-4250. For information about the Open Meeting, contact the Executive Director's Office at (602) 542-3931.

JODI JERICH
EXECUTIVE DIRECTOR

1200 WEST WASHINGTON STREET, PHOENIX, ARIZONA 85007-2927 / 400 WEST CONGRESS STREET, TUCSON, ARIZONA 85701-1347
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This document is available in alternative formats by contacting Shaylin Bernal, ADA Coordinator, voice phone number 602-542-3931, E-mail SABernal@azcc.gov.

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BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

SUSAN BITTER SMITH - Chairman
BOB STUMP
BOB BURNS
DOUG LITTLE
TOM FORESE

IN THE MATTER OF THE APPLICATION OF
STEVE HALSTEAD DBA PUBLIC PHONE FOR
APPROVAL TO CANCEL ITS CERTIFICATE OF
CONVENIENCE AND NECESSITY.

DOCKET NO. T-04055A-15-0248

DECISION NO. _____

ORDER

Open Meeting
October 20 and 21, 2015
Phoenix, Arizona

BY THE COMMISSION:

* * * * *

Having considered the entire record herein and being fully advised in the premises, the Arizona Corporation Commission ("Commission") finds, concludes, and orders that:

FINDINGS OF FACT

1. In Decision No. 65196 (September 20, 2002), the Commission granted Steve Halstead dba Public Phone ("Public Phone") a Certificate of Convenience and Necessity ("CC&N") to provide customer owned pay telephone ("COPT") services in Arizona.

2. On July 7, 2015, Public Phone filed an application with the Commission requesting approval to cancel its CC&N to provide COPT services in Arizona. In the application, Public Phone waived its right to notice and a hearing to cancel its CC&N. The application further notes that Public Phone no longer provides, or never did provide, COPT services in the state of Arizona and that Mr. Steve Halstead is authorized to file the application on behalf of Public Phone.

3. On August 24, 2015, the Commission's Utilities Division ("Staff") filed a Memorandum in response to Public Phone's application to cancel its CC&N.

4. According to Staff, Public Phone is in compliance with the Utilities Division's Compliance Section. Further, Staff states that the Commission's Consumer Services Section reported

1 that no complaints, inquiries, or opinions have been file against Public Phone. Public Phone's most
2 recent Utility Annual Report was filed for the year ending December 31, 2011 and the Corporations
3 Division reports it has no record of Public Phone.

4 5. Staff recommends approval of Public Phone's application to cancel its CC&N.

5 6. Staff's recommendation to approve Public Phone's application for cancellation of its
6 CC&N is reasonable and should be adopted.

7 **CONCLUSIONS OF LAW**

8 1. Public Phone is a public service corporation within the meaning of Article XV of the
9 Arizona Constitution and A.R.S. §§ 40-281 and 40-282.

10 2. The Commission has jurisdiction over Public Phone and the subject matter of the
11 application.

12 3. The cancellation of Public Phone's CC&N to provide COPT services in Arizona is in
13 the public interest.

14 4. Public Phone waives its right to notice and a hearing in this matter.

15 5. Staff's recommendation is reasonable and should be adopted.

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ORDER

IT IS THEREFORE ORDERED that Steve Halstead dba Public Phone's Certificate of Convenience and Necessity granted in Decision No. 65196 (September 20, 2002), to provide customer owned pay telephone services in Arizona is hereby canceled.

IT IS FURTHER ORDERED that this Decision shall become effective immediately.

BY ORDER OF THE ARIZONA CORPORATION COMMISSION.

CHAIRMAN

COMMISSIONER

COMMISSIONER

COMMISSIONER

COMMISSIONER

IN WITNESS WHEREOF, I, JODI JERICH, Executive Director of the Arizona Corporation Commission, have hereunto set my hand and caused the official seal of the Commission to be affixed at the Capitol, in the City of Phoenix, this _____ day of _____ 2015.

JODI JERICH
EXECUTIVE DIRECTOR

DISSENT _____

DISSENT _____
SP:ru

1 SERVICE LIST FOR: STEVE HALSTEAD dba PUBLIC PHONE

2 DOCKET NO.: T-04055A-15-0248

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4 Mr. Steve Halstead
Public Phone
12403 N. Central Ave., Suite 323
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6 Janice Alward, Chief Counsel
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7 ARIZONA CORPORATION COMMISSION
1200 West Washington Street
8 Phoenix, AZ 85007

9 Thomas Broderick, Director
Utilities Division
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